

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Jonell Markita Tanay Ojeda

Docket No. 5:23-CR-300-2BO

Petition for Action on Conditions of Pretrial Release - ADJUDICATED

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Jonell Markita Tanay Ojeda, who was placed under pretrial release supervision by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, sitting in the Court at Greenville, on the 11th day of October, 2023.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 31, 2024, the defendant provided a urinalysis, as the result of an agreement between her attorney and the U.S. Probation Office, that was preliminarily positive for marijuana on a field screening test. The defendant's sample was packaged for shipment to Abbott Laboratories for confirmation. On June 5, 2024, the defendant's sample was confirmed positive for marijuana. On June 14, 2024, when confronted, Ojeda denied using marijuana; however, admitted to smoking a vape pen that contained CBD. Notably, she signed a Drug Admission Form admitting to the usage.

As a result of the above noted violation conduct, Ojeda was verbally reprimanded, expressed remorse, and warned that continued substance abuse issues could result in negative actions being taken in her case. Additionally, the defendant agreed to obtain a substance abuse assessment to determine if substance abuse counseling is recommended. Based on the above information, the probation officer respectfully recommends the conditions of release be modified to include participation in a program for substance abuse therapy and counseling. Contact with defense counsel indicated no objections to the proposed modification. The defendant signed a waiver of hearing agreeing to the proposed modification to the conditions of pretrial release.

PRAYING THAT THE COURT WILL ORDER

- The defendant must participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the probation office or supervising officer.
- The defendant must submit to testing for a prohibited substance if required by the probation office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Melissa Lunsmann
Melissa Lunsmann
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: June 18, 2024

ORDER OF THE COURT

Considered and ordered the 18 day of June, 2024, and ordered filed and made part
of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. Magistrate Judge